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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,979	02/27/2004	Wolfgang Aderhold	008304	6862

7590 01/26/2006

Applied Materials, Inc.
Patent/Legal Dept.
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EXAMINER

FUQUA, SHAWNTINA T

ART UNIT PAPER NUMBER

3742

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/788,979		ADERHOLD ET AL.	
	Examiner		Art Unit	
	Shawntina T. Fuqua		3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 15-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 15-19 depend from canceled claim 11. For purposes of examination, Examiner assumes claims 15-19 to depend from independent claim 12.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 6-8, 20, 22, 23, 25-26, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Samoilov (US6455814)

Samoilov et al discloses a thermal processing apparatus/method comprising a radiant heat source (102), disposing a substrate to be thermally processed on a front side to form features therein with a back side facing a radiant heat source, thermally monitoring (118) the front side of wafer, peripherally supporting the substrate, substrate is disposed with the front side facing upwardly, reflecting heat emitted from the front side of substrate back to the front side, front side

facing generally horizontal reflector (122) above the radiant heat source (Figure 1), radiant heat source is below reflector, and substrate is held between reflector and radiant heat source with a processing side facing reflector (column 2, lines 41-47, column 3, lines 15-31, 45-51, 58-60, Figures 1-3).

Samoilov discloses the claimed invention except for a front side of substrate facing downwardly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included facing the front side of the substrate down, since it has been held that a mere reversal of essential working parts of a device involves only routine skill in the art.

5. Claims 2, 4-5, 9, and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Samoilov et al as applied to claims 1, 3, 8 above, and further in view of Ballance et al (US6090210).

Samoilov et al discloses all of the recited subject matter except thermally monitoring temperature with a plurality of radial positions, a ring support, an edge exclusion zone with a width of no more than 3 mm, and a detachable holding member capable of holding substrate from a top side. Ballance et al discloses thermally monitoring temperature at a plurality of radial positions (column 4, lines 25-31), and a ring support (18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a plurality of temperature sensors and ring support of Ballance et al in the apparatus/method of Samoilov et al because, a plurality of temperature sensors allows for a more uniform temperature and a ring support holds the substrate more securely.

Samoilov et al in view of Ballance et al discloses all of the recited subject matter except an edge zone no greater than 3 mm. An edge zone no greater than 3 mm is conventional and well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an edge zone no greater than 3 mm as a means to allow most of the substrate to be exposed.

Response to Arguments

6. Applicant's arguments with respect to claims 1-9, 12-20, 22-23, 25-26, and 28-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawntina T. Fuqua whose telephone number is (571) 272-4779. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

stf
January 23, 2006


Shawntina Fuqua
Patent Examiner
Art Unit 3742